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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/902,005	07/29/1997	LAURA J. BUTLER	MS1-119US	9747
22801	7590	11/03/2008		
LEE & HAYES PLLC 601 W Riverside Avenue Suite 1400 SPOKANE, WA 99201			EXAMINER HUYNH, SON P	
			ART UNIT 2424	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* LAURA J. BUTLER and GEORGE M. MOORE

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Application 08/902,005  
Technology Center 2400

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Mailed: November 3, 2008

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*Before:* HARRY HORTON, *Discipline Team Paralegal.*  
HORTON, *Discipline Team Paralegal.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 22, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

INFORMATION DISCLOSURE STATEMENT

Appellants filed two Information Disclosure Statements (IDSs) dated August 22, 2007 and July 21, 2008. *The Manual of Patent Examining Procedure* (MPEP) § 609 requires the Examiner to consider any IDS filed by Appellants if timely submitted. A written communication notifying Appellants of the Examiner's consideration of the above IDSs is required.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) to consider the IDSs filed August 22, 2007 and July 21, 2008;
- 2) to notify Appellants of said consideration and have communication made of record in the instant IFW application; and
- 3) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

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